

The Senate Committee on Agriculture and Consumer Affairs offered the following substitute to SB 75:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 50 of Title 43 of the Official Code of Georgia Annotated, relating to the State Board of Veterinary Medicine, so as to provide for a professional health program for impaired veterinarians; to provide for definitions; to provide for confidentiality of certain records; to provide for costs; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 50 of Title 43 of the Official Code of Georgia Annotated, relating to the State Board of Veterinary Medicine, is amended by adding a new Code section to read as follows:

"43-50-21.1.

(a) As used in this Code section, the term:

(1) 'Entity' means an organization or medical professional association which conducts professional health programs.

(2) 'Impaired' means the inability of a veterinarian to practice with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of any mental or physical condition.

(3) 'Professional health program' means a program established for the purposes of monitoring and rehabilitation of impaired veterinarians.

(b) The board shall be authorized to conduct a professional health program to provide monitoring and rehabilitation of impaired veterinarians in this state. To this end, the office of the Secretary of State on behalf of the board shall be authorized to enter into a contract with an entity for the purpose of establishing and conducting such professional health program, including but not limited to:

(1) Monitoring and rehabilitation of impaired veterinarians;

(2) Performing duties related to paragraph (10) of subsection (a) of Code Section 43-50-41; and

(3) Performing such other related activities as determined by the board.

(c) Notwithstanding the provisions of subsection (h) of Code Section 43-50-41, the board shall be authorized to provide pertinent information regarding veterinarians, as determined by the board and in its sole discretion, to the entity for its purposes in conducting a professional health program pursuant to this Code section.

(d) All information, interviews, reports, statements, memoranda, or other documents furnished to the entity by the board or other source or produced by the entity and any findings, conclusions, recommendations, or reports resulting from the monitoring or rehabilitation of veterinarians pursuant to this Code section are declared to be privileged and confidential and shall not be subject to Article 4 of Chapter 18 of Title 50, relating to open records. All such records of the entity shall be confidential and shall be used by such entity and its employees and agents only in the exercise of the proper function of the entity pursuant to its contract authorized by subsection (b) of this Code section. Such information, interviews, reports, statements, memoranda, or other documents furnished to or produced by the entity and any findings, conclusions, recommendations, or reports resulting from the monitoring or rehabilitation of veterinarians shall not be available for court subpoenas or for discovery proceedings.

(e) An impaired veterinarian who participates in a professional health program conducted pursuant to this Code section shall bear all costs associated with such participation."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.